



DECEMBER 2003

# ETHICS BEAT

A publication by the Miami-Dade County Commission on Ethics & Public Trust

[www.miamidade.gov/ethics](http://www.miamidade.gov/ethics)

"ETHICS IS GOOD BUSINESS"

\*Agency est. 1997

Welcome to the fourth edition of ETHICS BEAT, our bi-annual newsletter. This newsletter provides community news, information about our activities and programs and the efforts of those promoting ethics, accountability and integrity in government. Should you have information of an ethical nature or other interesting news from your community or organization, we'd like to know. Fax it to us, at (305) 579-0273, Attn: Ethics Beat.

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## In this issue

Director's  
Corner

Featured Ethics  
Commissioner

Featured  
Advisory  
Opinion

Upcoming  
Events

2003 Arete  
Awards

Public  
Procurement  
Conference

Environmental  
Ethics Conference

Publications  
2003 Annual  
Report

Local Survey  
in PA Times

Conferences  
Procurement  
Ethics

BEAM

Non-Profit  
Ethics Seminar

Did You  
Know?

Executive Director's Corner - The Ethical Campaign Practices Ordinance, passed by the Board of County Commissioners in 1998, is an effort by County government to encourage candidates and their respective campaign staff to run ethical campaigns. The Ordinance is divided into two sections: one set of Mandatory Campaign Practices and another set of Voluntary Fair Campaign Practices. One distinction is that all candidates running for County or municipal elective office must adhere to the mandatory provisions; however, the voluntary provisions only bind candidates who agree to abide by these principles. A second difference is the type of conduct that these practices seek to punish or promote. The Mandatory Practices prohibit activities on the campaign trail that would otherwise be unlawful, such as slander or libel of an opponent; destruction of an opponent's campaign materials; theft of an opponent's property or abuse of process by filing a groundless/frivolous complaint with the Ethics Commission. The purpose behind the Statement of Fair Campaign Practices is entirely different. The goal is for candidates to freely debate the issues without appealing to prejudices that are divisive in the community, which may create long-term moral, social and economic problems. The Statement, if signed, commits the candidates to keep attack and negative political advertisements to a minimum, to take personal responsibility for attacks on an opponent that may come from third parties and to focus on an opponent's record, qualifications and positions on the issues. After five years of advice-giving and enforcement of the Ethical Campaign Practices Ordinance, the Ethics Commission has found the following: 1) only a small percentage of the candidates running for local office during this period agreed to be bound by the Statement of Fair Campaign Practices: 2) the Ordinance has marginal value if all the candidates for a given race do not sign the pledge and 3) many of the complaints are filed at the end-stages of a campaign, making it virtually (Executive Director's Corner-See page 2)

Robert Meyers, Executive Director

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**Executive Director's Corner** (from page 1) impossible for the Ethics Commission to weigh in before election day. The Ethics Commission will continue to extol the virtues of positive, issue-oriented campaigning and the specific benefits associated with the Ethical Campaign Practices Ordinance. The long-term goal, obviously, is to elevate the level of political discourse on the campaign trail, which will give the voting public a real chance to measure the candidates' fitness for elective office.

**Featured Ethics Commissioner – Dawn E. Addy, Ethics Commissioner**

Dawn E. Addy, Ph.D., appointed fall of 2001, directs the Center for Labor Research and Studies at Florida International University. She has designed specialized training programs, curricula and materials in the areas of: Harassment, Cultural Diversity, Workplace Violence, Conflict Resolution, Effective Communication Skills, Problem Solving, Leadership Skills, Electronic Publishing Skills, Labor Law, Americans with Disabilities Act, Family and Medical Leave Act, HIV-AIDS, Stress and Self-Image, Bridging the Gender Gap, Workplace Literacy, and Adult Education Techniques. She completed her graduate work at the University of Minnesota with a Masters degree in Industrial Relations and her Ph.D. in Work, Community, and Family Education. She is currently president of the group, Many Voices: One Community, which facilitates the dialogue on issues of racism and immigration throughout the South Florida area. Dr. Addy also serves on the Access and Equity Committee for FIU as Diversity Committee chair for the FIU Diversity Initiative.

**Advisory Opinion** – In a series of opinions in the last several months, the Ethics Commission has reviewed the subject of outside employment. Under the Conflict of Interest and Code of Ethics, Section 2-11.1 (j) “Conflicting employment prohibited” provides: No person included in the terms defined in subsections (b) (1) through (6) shall accept other employment, which would impair his or her independence of judgment in the performance of his or her public duties. Generally, the Commission has opined that outside employment is permitted under the Code of Ethics as long as the outside work does not interfere with an employee’s job duties.

For instance in **RQO 03-154**, an employee was prohibited from working in and owning part interest in a construction services management company because the work required her to interact with contractors whose work she has previously inspected, currently inspects or may inspect. At minimum, this also creates an appearance of a conflict. In addition, employees may not use County resources to further support the outside employment. The code also prohibits employees from engaging in activities that may require or induce disclosure of confidential information acquired by reason of their official position for personal gain. Furthermore, all employees must obtain department director approval; and in accordance with Section 2-11.1 (k), must report the outside employment and file the required disclosure forms by July 1<sup>st</sup> of each year with the Department of Elections

**Upcoming Events**

**2003 Annual Arête Awards** – The Miami-Dade County Commission on Ethics and Public Trust in partnership with the Greater Miami Chamber of Commerce is seeking nominations for the 4<sup>th</sup> Annual ARETE Award from January 4 – March 15, 2004. The categories include: Volunteer Advocate of the Year, Program of the Year, Non-Profit or Community Organization of the Year, and

**Upcoming Events** (continued)

Business of the Year. The Ethics commission and the Chamber will present the awards in early 2004. For more information visit our website at [www.miamidade.gov/ethics](http://www.miamidade.gov/ethics) or contact Robert Thompson at (305) 579-2594.

**Accountability in Public Procurement Conference** - Miami-Dade County, Commission on Ethics and Public Trust and Florida Atlantic University Public Procurement Research Center will sponsor a one day conference -“ACCOUNTABILITY IN PUBLIC PROCUREMENT” – March 19, 2004. Details to follow.

**Third Annual Environmental Ethics Conference** – The Miami-Dade County Ethics Commission and the University of Miami along with government and community members are planning a daylong conference on Environmental Ethics in South Florida. Barry Hill, Director of Environmental Justice at the Environmental Protection Agency was the keynote speaker for the Second Annual Conference held on April 25, 2003 at the African-American Research Library and Cultural Center, Fort Lauderdale, Florida. Stay tuned for further details or visit our website at [www.miamidade.gov/ethics](http://www.miamidade.gov/ethics).

**Town Hall Meeting** – The Miami-Dade County Ethics Commission will sponsor a town hall meeting (location to be announced) in March of 2004. The purpose of the town hall meeting is to discuss the report entitled “A Community’s Resolve to Restore Accountability, Integrity and, Public Trust: The Miami Dade Experience (1996-Present). Report can be read on our website [www.miamidade.gov/ethics](http://www.miamidade.gov/ethics) in mid-January 2004.

**Publication(s)**

**2003 Annual Report** - The Commission on Ethics and Public Trust will release its 2003 Annual Report in February 2004. Once released, the annual report can be viewed on our website at [www.miamidade.gov](http://www.miamidade.gov) or for a copy of the report, contact our office at (305) 579-2594.

**Local Government Ethics Survey to be published in the Public Administration Times** – In 2002, the Miami-Dade County Commission on Ethics and Public Trust conducted a national survey of local governments. The impetus for this study was to find out what local governments were doing to promote the goals of ethics and accountability in local government administration and decision-making. Specifically, the survey questioned a number of areas including: A code of ethics or conflict of interest policy for government employees and officials; Availability of ethics training for employees and officials-mandatory or not; Lobbying legislation; Mechanisms to render ethics advice; and Whistleblower protection. A significant step in any local government ethics program embraces a holistic and balanced approach-combining effective laws, training programs and enforcement procedures and penalties. For a [full copy of the article](#), including the survey, please contact the Ethics Commission at (305) 579-2594.

## HOTLINE NUMBER



**HOTLINE** To report unethical conduct & abuses in local government, please call the Ethics **HOTLINE** at **(305) 579-9093**. For more information visit our website at [www.miamidade.gov](http://www.miamidade.gov).

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## CONFERENCES, SEMINARS, WORKSHOPS & EVENTS

Business for Ethical and Accountable Management (BEAM).

This new initiative, an ethics education and training program for companies doing business with local government, is designed to increase a company's understanding about best business practices and the ethics rules as they relate to contracting with local government. The program is interactive, engaging and comprehensive. Topics include: Conflicts of Interest, Lobbying, Procurement Matters, Best Business Practices and Ethical Decision-Making. BEAM is another example of the Ethics Commission's dedication to maintaining awareness about the high ethical standards not only for those who work in government, but for those who do business with government. Ethical business management is effective business management.

Procurement Ethics Workshops – Pursuant to Resolution 769-03, all county staff involved in the procurement process are required to attend annual training on *ethics* and the *avoidance of conflicts of interest*. The Miami-Dade County Ethics Commission, The State Attorneys Office (Public Corruption Unit), Department of Procurement Management (DPM) and Florida International University conducted *four procurement ethics workshops* from October – December 2003, for procurement staff. The training focused on issues unique to procurement personnel. Topics included an Overview of Public Procurement in Miami-Dade; Values, Principles and Ethical Dilemmas; Enforcement of the Honest Government Act; an Examination of Local Laws and case studies.

**Non-Profit Ethics Seminar** – On November 14, 2003, the Miami-Dade Commission on Ethics and Public Trust in partnership with C-One, the Center on Nonprofit Effectiveness, conducted a nonprofit ethics seminar. The seminar included presentations, a panel discussion, and small group discussion of realistic nonprofit cases. Participants examined key ethical issues facing nonprofits today; practiced making tough ethical choices and explored the implications; and compared their perspectives with other nonprofit and community leaders.

DID YOU KNOW? Under Gifts, Section (e) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, it is unlawful for any person or entity to offer, give or agree to give to any government official or employee a gift for an official action taken, to be taken or which could be taken. Additionally, in accordance with Miami-Dade County Administrative Order 7-1 (Effective August 2, 2002) states: "No county employee shall accept any tip or gratuity in the discharge of his or her public duties".



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